

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Court File No. CR-21-93 (JRT/TNL)

United States of America,
Plaintiff,

v.

Robbin Allen Thomas,
Defendant.

**Motion for Disclosure of Evidence
Favorable to the Defendant**

Pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963); *Miller v. Pate*, 386 U.S. 1 (1967); *Giles v. Maryland*, 386 U.S. 66 (1967); and *Moore v. Illinois*, 408 U.S. 786 (1972), Defendant Robbin Allen Thomas hereby moves the Court for an order compelling the Government to disclose any evidence in the possession of the prosecution or any of its agents, or other evidence the existence of which is known, or by the exercise of due diligence may become known to the prosecution, which may be favorable to the defendant or could reasonably weaken or affect any evidence that may be introduced against the defendant or is otherwise relevant to the subject matter of this case and may, in any manner aid the defendant in the investigation or preparation of his case for trial or sentencing, said disclosure to be made without regard to whether the evidence to be disclosed may be admissible at the trial herein, and to include but not limited to the following:

1. Any identification of persons other than the defendant by eyewitnesses to the crime.
2. Any failure to identify the defendant by any eyewitness to the crime.
3. Any statements of any witnesses whether indicted or not, exculpating the defendant.
4. Any statements of witnesses, whether indicted or not, which contradict statements of other witnesses.
5. Any reports of interviews relating to Nos. 3 and 4.
6. Any fingerprints, handwriting or other scientific evidence which was not identified with this defendant.
7. Any items seized from parties not charged which tend to identify them rather than the defendant with commission of the crime.
8. Any prior convictions of prospective government witnesses.
9. Any offers or promises made to prospective government witnesses to induce their cooperation against the defendant whether or not the government intends to call those persons as witnesses.

This motion is based upon the files, records, and proceedings in this case and such additional arguments and authorities as may be submitted.

Respectfully submitted,

Dated: September 8, 2021

/s/ F. Clayton Tyler

F. Clayton Tyler (11151X), fctyler@fctyler.com

F. Clayton Tyler, P.A.

331 Second Avenue South, Suite 230

Minneapolis, MN 55401

Ph: 612-333-7309

Fax: 612-333-5919

Attorney for Defendant